

**ATTACHMENT 3**

**RESOLUTION A2  
(OVERRULING THE HISTORIC DISTRICT COMMISSION'S DECISION)**

**RESOLUTION OVERRULING THE HISTORIC DISTRICT COMMISSION'S  
DECISION TO DENY A CERTIFICATE OF APPROPRIATENESS APPLICATION  
FOR THE PROPERTY LOCATED AT 417 W PATTERSON PLACE, TO CONSTRUCT  
A NEW SINGLE-FAMILY RESIDENCE, AND APPROVING THE CERTIFICATE OF  
APPROPRIATENESS (PIN 9788-25-2240, PROJECT #19-026).**

Having reviewed the transcript and record of evidence submitted to the Historic District Commission pertaining to the application for a Certificate of Appropriateness to construct a new single-family residence at 417 W Patterson Place, and having heard arguments of the appellants and others, the Board of Adjustment finds that the decision of the Historic District Commission on February 12, 2019 to deny a Certificate of Appropriateness for this property, owned by Jim Kitchen, is not supported by competent, material and substantial evidence in the record before the Commission;

THE BOARD FURTHER concludes that the evidence before the Historic District Commission did not support the determination of the Commission to deny the Certificate of Appropriateness application to construct a new single-family residence at 417 W Patterson Place and rejects the decision and reasons of the Commission as the determination and reasons of the Board.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ADJUSTMENT hereby OVERRULES the Historic District Commission's decision on February 12, 2019, to deny the Certificate of Appropriateness application to construct a new single-family residence at 417 W Patterson Place and further identified as Orange County parcel identifier number 9788-25-2240 and hereby approves the Certificate of Appropriateness, based on the 417 W Patterson Place application submitted at the February 12, 2019 Historic District Commission meeting.

BE IT FURTHER RESOLVED that the appeal is hereby approved.

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Signed - Board of Adjustment Chair, James A. Bartow

This the 2<sup>nd</sup> day of May, 2019.